S.B. Criminal Misc. Bail Application No.2681/2006

Date : 12.07.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. D.S. Udawat for the applicant.

Mr. V.R. Mehta, Public Prosecutor for the State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the case diary and the impugned order.

The contention of learned counsel for the applicant is that a quarrel took place between husband and wife and the applicant is having small kids. He submits that the applicant is in jail since long. In last, he prays that after 14 years of the marriage this incident took place and the matter may be considered sympathetically.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case and the fact that it is a matter of quarrel between husband and wife, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant.shall be released on bail in FIR No.71/2006 P.S. Sendra, District Pali, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.